

JOCELYN THOMPSON (State Bar No. 106544)  
KATHLEEN A. KENEALY (State Bar No. 212289)  
DOUGLAS E. WANCE (State Bar No. 208170)  
**WESTON, BENSHOOF, ROCHEFORT,  
RUBALCAVA & MACCUISH LLP**  
333 South Hope Street  
Sixteenth Floor  
Los Angeles, California 90071  
Telephone: (213) 576-1000  
Facsimile: (213) 576-1100

Attorneys for Applicant  
FPL Energy Sacramento Power, LLC

## STATE OF CALIFORNIA

### Energy Resources Conservation And Development Commission

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE FPL ENERGY SACRAMENTO  
POWER, LLC RIO LINDA/ELVERTA  
POWER PROJECT (RIO LINDA)

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) Docket No. 01-AFC-1

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) APPLICANT'S PROPOSED REVISION  
) TO COMMITTEE SCHEDULING ORDER  
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As described in Applicant's Status Report No. 2, Applicant FPL Energy Sacramento Power, LLC proposes that the Committee Scheduling Order be revised. Applicant intends to submit a supplement to the AFC to address aspects of the Rio Linda Elverta Power Project (RLEPP) that the staff has stated may result in impacts considered significant by the staff. Applicant's Proposed Revised Schedule will allow the information contained in the supplement to be considered by the staff in preparation of its Preliminary Staff Assessment. To the extent that issues can be eliminated in this earliest stage of the AFC process, the Proposed Revised Schedule will enhance efficiency and reduce the number of issues that may require in-depth hearings later.

## A. BACKGROUND

Data Requests 1 through 91 were issued by staff on May 15, 2001. Applicant submitted responses to those data requests on June 18, 2001. However, it was not possible to answer a number of data requests relating to visual impacts at the time. On July 13, 2001, Applicant filed its Supplemental Responses to Data Requests 1-91, providing responses to the Data Requests not previously answered in Applicant's submission of June 18, 2001. Due to the content of these responses, staff requested that Applicant prepare a supplement to the AFC. In addition, Applicant believes that other issues raised by staff can be addressed in the same supplement.

As previously reported, the data requests that were not answered as of June 18 all related to visual impacts. Data Request 65 requested measures to reduce visible plumes, in order to mitigate potential visual impacts. Plume abatement was not originally part of the project as proposed, but RLEPP decided to include plume abatement to address the concerns expressed by staff as raised in Data Request 65. However, incorporation of the plume abatement technology necessitated a change in the cooling tower layout and thus affected the site plan. Although not requested in Data Requests 1 through 91, Applicant also expects that it will need to re-run air and noise modeling as a result of the change in cooling tower layout prompted by incorporation of plume abatement technology.

At the Data Response Workshop, CEC staff requested that the information regarding plume abatement and related changes in the cooling tower design, plot plan and project impacts be included in a supplement to the AFC. As requested by staff, Applicant will prepare a supplement that incorporates this information.

At the Data Response Workshop, it also became apparent that staff has concerns in additional areas, specifically, visual impacts relating to the turbine hall, noise impacts at certain residences, and water supply. Applicant wants to be responsive to concerns raised by staff, and currently is considering potential measures to address those concerns. These measures may require additional changes to the project. In addition, as noted above, Western Area Power Administration continues to express an interest in exploring alternative interconnections, which also might prompt changes to the project. Any resulting project changes would most effectively and efficiently be presented in a single supplement. Applicant recognizes that this will require a change to the schedule, to allow time for staff to consider the information presented in the supplement in preparing its Preliminary Staff Assessment.

B. PROPOSED REVISED SCHEDULE

Applicant proposes to submit the supplement to the AFC on or before October 1, 2001. In order to provide time for staff to consider this additional information in the Preliminary Staff Assessment, Applicant proposes that the date for issuance of the PSA be moved from mid-late September (as currently stated in the Committee Scheduling Order) to December 1, 2001. Applicant proposes that other dates on the schedule which follow the issuance of the PSA also be adjusted by a similar amount of time. Accordingly, Applicant proposes that the Committee Scheduling Order be revised as follows:

**Proposed Revised Schedule**

Workshop on Water Supply	Mid-August
Applicant and Staff file Status Report #3	September 1
Applicant files Preliminary Determination of Compliance (PDOC) from the Sacramento Metropolitan Air Quality Management District (SMAQMD)	September 14
Applicant files Supplement	October 1
Applicant and Staff file Status Report #4	October 1
Applicant and Staff file Status Report #5	November 1
Staff releases Preliminary Staff Assessment (PSA)	December 1
Applicant and Staff file Status Report #6	December 1
Western Area Power Administration files Draft Environmental Assessment (DEA)	December 1
Staff conducts PSA/DEA workshops	Mid-late December
Applicant files Final Determination of Compliance (FDOC) from SMAQMD	Mid-late December
Applicant and Staff file Status Report # 7	January 2
Prehearing Conference Statement due to Committee	January 4
Committee conducts Prehearing Conference	Mid-January

Applicant expects that all matters described to date by staff as “potentially significant” will be addressed in the supplement filed on or before October 1, 2001. This includes (1) visible plumes; (2) mass of turbine hall; (3) significant noise impacts at residences; and (4) water supply. In addition, if the Applicant and Western Area Power Administration conclude that there will be a change in the interconnection configuration, that will be included in the October 1, 2001 supplement as well.

Some of the information to be included in the supplement may be available before October 1, 2001. For example, revised KOPs and simulations showing a modified turbine hall and landscaping may be completed sooner. For ease of distribution to the public and the CEC staff, Applicant proposes to include all the information in a single supplement on or before October 1, 2001. However, should CEC staff desire to receive information as it becomes available, Applicant is willing to provide it in this manner.

C. **WATER WORKSHOP**

Applicant expects that the upcoming Water Workshop will explore significance thresholds, the number and types of mitigation measures or alternatives that need to be evaluated, and the methods to be used (modeling or otherwise) to evaluate the potential impacts of the proposed project, mitigation measures and alternatives. Applicant is dependent upon prompt scheduling of the Water Workshop in order to more fully understand staff's issues and address them in the proposed supplement.

D. **CONCLUSION**

For the reasons stated above, FPL Energy respectfully requests that the Committee Scheduling Order be revised as proposed.

DATED: August 3, 2001

Respectfully Submitted,

ORIGINAL SIGNED

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Jocelyn Niebur Thompson  
Attorney for Applicant  
FPL Energy Sacramento Power, LLC

**STATE OF CALIFORNIA**

**Energy Resources Conservation  
and Development Commission**

In the Matter of: ) Docket No. 01-AFC-1  
)  
Application for Certification for the ) PROOF OF SERVICE  
FPL Energy Sacramento Power, LLC )  
RIO LINDA/ELVERTA POWER )  
Project (RLEPP) )

I, Gail Harmon, declare that on August 3, 2001, I served a copy of the attached APPLICANT'S PROPOSED REVISION TO COMMITTEE SCHEDULED ORDER electronically and by Federal Express by depositing such envelope in a facility regularly maintained by Federal Express with delivery fees fully provided for or delivered the envelope to a courier or driver of Federal Express authorized to receive documents at Weston, Benshoof, Rochefort, Rubalcava & MacCuish LLP, 333 South Hope Street, 16<sup>th</sup> Floor, Los Angeles, California 90071 with delivery fees fully provided for and addressed to the following:

**DOCKET UNIT**

Send the original signed document plus the required 12 copies to the address below:

CALIFORNIA ENERGY COMMISSION  
DOCKET UNIT, MS-4  
Attn: Docket No. 01-AFC-1  
1516 Ninth Street  
Sacramento, CA 95814-5512

\* \* \* \*

In addition to the document served to the Commission Docket Unit, I also served individual copies of the same document by First Class Mail enclosing the document in a sealed envelope on the following parties. I am "readily familiar" with this firm's practice for the collection and the processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, the correspondence would be

APPLICANT'S PROPOSED REVISED SCHEDULING ORDER

deposited with the United States Postal Service at 333 South Hope Street, 16<sup>th</sup> Floor, Los Angeles, California 90071 with postage thereon fully prepaid the same day on which the correspondence was placed for collection and mailing at the firm. Following ordinary business practices, I placed for collection and mailing with the United States Postal Service such envelope at Weston, Benshoof, Rochefort, Rubalcava & MacCuish LLP, 333 South Hope Street, 16<sup>th</sup> Floor, Los Angeles, California 90071.

### **APPLICANT**

Derrel A. Grant, Jr.  
Vice President  
FPL Energy Sacramento Power, LLC  
700 Universe Boulevard  
Juno Beach, FL 33408

### **Counsel for Applicant:**

Tim Rossknecht, Project Manager  
FPL Energy Sacramento Power, LLC  
700 Universe Boulevard  
Juno Beach, FL 33408

Dwight Mudry, Project Manager  
Foster Wheeler Environmental Corp.  
1940 East Deere Ave., Suite 200  
Santa Ana, CA 92705

### **INTERVENORS**

Sam Wehn  
Roseville Energy Facility, L.L.C.  
101 California Street, Suite 1950  
San Francisco, CA. 94111

SMUD  
C/O Steve Cohn, Esq.  
Senior Attorney  
P.O. Box 15830, M.S. B406  
Sacramento, CA. 95852-1830

John Victor Shepherd, Sr.  
P.O. Box 819  
Elverta, CA. 95626-0819

CURE  
C/O Marc D. Joseph, Esq.  
Mark R. Wolfe, Esq.  
Adams Broadwell Joseph & Cardoza  
651 Gateway Blvd., Suite 900  
South San Francisco, CA. 94080

### **INTERESTED AGENCIES**

Mr. Brian Krebs  
Senior Air Quality Engineer  
Sacramento Metropolitan Air Quality Management District  
777 12th Street, 3rd Floor  
Sacramento, CA 95814

Mr. Gerardo Rios  
Acting Chief, Permits Office  
Air Division  
US EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Mr. Michael Tollstrup  
Chief, Project Assessments Branch  
Stationary Source Division  
California Air Resources Board  
1001 "I" Street  
Sacramento, CA 95812

COE Hall  
Department of Water Resources  
POB 942836  
Sacramento, CA 94236-0001

Nancy Werdell  
Western Area Power Administration  
114 Parkshore Drive  
Folsom, CA 95630

James F. Eagan  
Yolo County Flood Control and Water Conservation District  
34274 State Highway 16  
Woodland, CA 95695

Justin Butler  
U.S. Army Corp of Engineers, Sacramento Division  
1325 J Street, Rm. #1480  
Sacramento, CA 95814

Richard McHenry  
Central Valley Regional Water Quality  
Control Board (RWQCB)  
3443 Routier Road  
Sacramento, CA 95827

Mike Phelan  
Rio Linda/Elverta Community Water District  
730 L Street  
Rio Linda, CA 95673

Pat Quinn  
Sacramento County Public Works  
Agency, Department of Water Quality, Waste Management and Recycling Division  
9850 Goethe Road  
Sacramento, CA 95827

**Counsel for Rio Linda/Elverta Community Water District**

Emilio E. Varanini  
Livingston & Mattesich, LC  
1201 K Street, Suite 1100  
Sacramento, CA 95814



Dwight E. Sanders  
Div. of Environmental Planning and Management  
California State Lands Commission  
100 Howe Ave., Suite 100 South  
Sacramento, CA 95825-8202

California Department of Conservation  
Division of Mines and Geology  
James F. Davis  
801 K Street, MS-12-30  
Sacramento, CA 95814

I declare under penalty of perjury that the foregoing is true and correct. Executed this 3rd day of August, 2001 at Los Angeles, California.

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ORIGINAL SIGNED  
Gail Harmon